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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77001

Kazuto KUNITA, et al.

Appln. No.: 10/669,526

Group Art Unit: 1711

Confirmation No.: 5158

Examiner: Hoa Van Le

Filed: September 25, 2003

For: POLYMERIZABLE COMPOSITION

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Election of Species Requirement dated September 7, 2004.

Priority Issue

In the Office Action Summary, the Examiner has acknowledged Applicants' claim to priority but indicates that the certified copy of the priority document has both been received and not been received.

Since the certified copy of the priority document was filed when the application was filed, Applicants respectfully request that the Examiner clarify that the certified copy of the priority document has been received.

Election of Species

In response to the election of species requirement made by the Examiner, Applicants note in general that they elect the embodiment disclosed in Example 1 (pages 129-136) of the present application. The particular elements used in Example 1 are specifically discussed below.

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

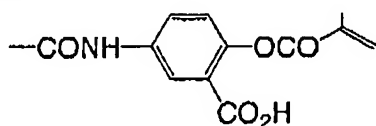
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General Formula (I)

On page 2 of the Office Action, in paragraph B.1., the Examiner indicates that claims 1-19 are generic to a plurality of disclosed patentably distinct species of the general formula I side chain, and requires that Applicants elect a single disclosed chemical structure species.

In response, Applicants elect structure A-1 disclosed on page 22 of the present specification:



When general formula (I) is structure A-1, each constituent component in general formula (I) is as follows:

X: -CO-C(CH₃)=CH₂

Z¹: - (a single bond)

Z²: - (a single bond)

A: -COOH

Q: a phenyl group

P¹: -COOH-

P²: - (a single bond)

P³: -O-

P⁴: - (a single bond)

P⁵: - (a single bond)

Repeating Unit of Alkali-Soluble Polymerizable Polymer

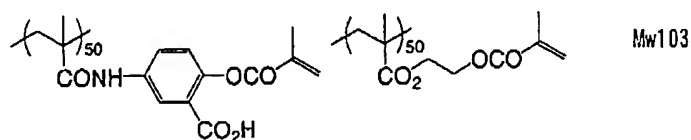
On page 2 of the Office Action, in paragraph B.2., the Examiner indicates that claims 1-19 are generic to a plurality of disclosed patentably distinct species comprising many possible repeating unit chemical structures of the general alkali-soluble polymerizable polymers, and requires that Applicants elect a single disclosed repeating unit chemical structure species.

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In response, Applicants elect the specific polymerizable polymer P-1 disclosed on page 36. Polymerizable polymer P-1 is used in Example 1 as described at page 130, lines 14-15.



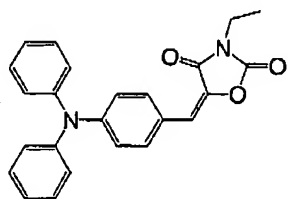
Therefore, the elected repeating unit is:



Sensitizing Dye

On page 3 of the Office Action, in paragraph B.3., the Examiner indicates that claims 1-19 are generic to a plurality of disclosed patentably distinct species of the general sensitizing dye, and requires election of a single disclosed sensitizing dye.

In response, Applicants elect sensitizing dye Y-1 disclosed on page 143. In this regard, Applicants note that Example 1 uses sensitizing dye [Y] described in Table 2 (see page 136, line 1), and Table 2 shows that the sensitizing dye [Y] for Example 1 is sensitizing dye Y-1:



Applicants note that claims 1-17 and 19 read on all three elected species.

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

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Conclusion

In view of the above, allowance of this application is now believed to be in order, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

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